

REMARKS

In the Office Action mailed March 3, 2009 the Office noted that claims 1-30 were pending and rejected claims 1-30. Claim 1 has been amended, no claims have been cancelled, and, thus, in view of the foregoing claims 1 and 3-30 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections are traversed below.

REJECTIONS under 35 U.S.C. § 103

Claims 1, 3-18 and 30 stand rejected under 35 U.S.C. § 103(a) as being obvious over Nagano, U.S. Patent No. 5,288,278 in view of Dupoyet, U.S. Patent No. 4,265,134. The Applicants respectfully disagree and traverse the rejection with an argument and amendment.

Nagano discusses having link plates connected to be oscillatable relative to one another within a predetermined range of flexion.

Dupoyet discusses a chain comprised of pivotally interconnected outer links and inner links.

On page 20 of the Office Action, in the response to Arguments, it is stated that "it is noted that the features upon which applicant relies (i.e., the spacers always contact the internal plates and the anti-torsional effect is always performed) are not recited in the rejected claim(s)."

The Applicants have amended claim 1 to recite "wherein

the anti-rotation elements (12) comprise spacers (13a, 13b) interpositioned between the external plates (4, 5) of each external link (2) and the internal plates (7, 8) of each internal link (3) at the respective ends thereof, the spacers (13a, 13b) ***always being in contact with the internal plates (7,8) and always*** reducing a possibility of torsional rotation between each pair of external links (2) and internal links (3) about a longitudinal alignment axis (Y) of the pair which is perpendicular to a corresponding main rotation axis (X) thereof." (Emphasis added)

The spacer members 10 of Dupoyet render rigid with each other the outer plates 1, 1b and they are not subject to the forces to which the chain is subjected (See col. 5, line 38), thus the spacer members cannot perform an anti-torsional function.

Further, there are no other elements in Dupoyet that can perform an anti-torsional function. In particular, the outer edge portion 5, 5a and 5c of Dupoyet are positioned in the middle zone of the inner plates of the chain. They do not both contact together the adjacent external plates, but, when the rotation angle between the two adjacent internal and external plates exceeds a certain value, one of the two outer edge portions 5, 5a and 5c loses contact with the adjacent plate, so that any anti torsional effect is lost. The outer edge portion of Dupoyet may only perform an anti-torsional effect only when external and internal plates are longitudinally aligned.

Therefore, for at least the reasons discussed above, Nagano and Dupoyet, taken separately or in combination, fail to render obvious the features of claim 1 and the claims dependent therefrom.

Claims 19-23 and 30 stand rejected under 35 U.S.C. § 103(a) as being obvious over Nagano in view of Dupoyet in further view of Wang, U.S. Patent No. 5,322,483.

Wang adds nothing to the deficiencies of Nagano and Dupoyet as applied against the independent claim. Therefore, for at least the reasons discussed above, Nagano, Dupoyet and Wang, taken separately or in combination, fail to disclose the features of claims 19-23 and 30.

Claims 24-26 and 28 stand rejected under 35 U.S.C. § 103(a) as being obvious over Nagano in view of Dupoyet in further view of Pierce, U.S. Patent No. 1,945,357.

Pierce adds nothing to the deficiencies of Nagano and Dupoyet as applied against the independent claim. Therefore, for at least the reasons discussed above, Nagano, Dupoyet and Pierce, taken separately or in combination, fail to disclose the features of claims 24-26 and 28.

Claims 27 and 29 stand rejected under 35 U.S.C. § 103(a) as being obvious over Nagano in view of Dupoyet in view of Pierce in further view of Klaucke, U.S. Patent No. 2,277,915.

Klaucke adds nothing to the deficiencies of Nagano, Dupoyet and Pierce as applied against the independent claim.

Therefore, for at least the reasons discussed above, Nagano, Dupoyet, Pierce and Klaucke, taken separately or in combination, fail to disclose the features of claims 27 and 29.

Withdrawal of the rejections is respectfully requested.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 103. It is also submitted that claims 1 and 3-30 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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